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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/980,655	04/23/2002	Kari Hasanen	9926.1019	4257
21831	7590	11/20/2003	EXAMINER	
STEINBERG & RASKIN, P.C. 1140 AVENUE OF THE AMERICAS, 15th FLOOR NEW YORK, NY 10036-5803			KOYAMA, KUMIKO C	
			ART UNIT	PAPER NUMBER
			2876	

DATE MAILED: 11/20/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/980,655

Applicant(s)

HASANEN ET AL.

Examiner

Kumiko C. Koyama

Art Unit

2876

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 08 August 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. §§ 119 and 120**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some \* c) ☐ None of:  
1. ☒ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☒ Interview Summary (PTO-413) Paper No(s). 102003.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

Acknowledgement has been made of receipt of Amendment filed on August 13, 2003.

#### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim 1-3 and 5-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Herrala et al (US 5,381,341).

Herrala teaches a control system 100 for a paper or board machine provided with a feedback branch, wherein the properties of the web W, e.g. its transverse thickness profile, are measure by means of a transversing measurement detector 15 or a corresponding series of detectors, placed after the drying section, and by means of a corresponding measurement beam 18 fitted after a calender, in connection with which beam there may be also measurement of the transverse smoothness profile or equivalent of the web W (col 5, lines 21-31). The control system controls the series of the various actuators through the connections c1, c2, c3 and c4, said series comprising the actuator controllers. The data on the positions and status of the various actuators are also transferred through the connections c1, c2, c3 and c4 to the control system 100 (col 5, lines 57-51). The actuator controllers 42, serving as a component, includes a processor part with a memory section 55-57 and control part 51, serving as the control unit (col 6, lines 55-

59). The memory section 55-57 includes a program memory 55 for storing a program (col 10, lines 17-22), a data memory 56 and EEPROM 57 stores the scaling coefficient of the measurement as well as the operation point of the measurement (col 7, lines 13-20). The communication between the network server 40 and the actuator controllers 42 take place with the question-reply principle (col 7, lines 48-51) through RS 422 connection (col 7, lines 34-36). An actuator replies to a question message except in situations of error, in which case the actuator transmits a reject message to the service unit (col 7, lines 59-62). The actuator controllers 42 communicate with the process computer/process station by the intermediate of the RS422-interface 53. By means of message communications taking place along the connection 53, the set values are transmitted to the actuator and the actuator controllers executes accordingly (col 8 lines 27+). The actuator consists a position detector, serving as a sensor (col 3, lines 25).

Herrala does not specifically disclose that the data, changes and control values are stored in the memory.

However, Herrala teaches discloses a program memory 55, data memory 56 and EEPROM 57 storing the scaling coefficient of the measurement as well as the operation point of the measurement, which are all used as part of actuator making changes to the spindles. Herrala also teaches that the instructions and data are transmitted to the actuator, so that the actuator can provide the appropriate action. Such disclosure inherently teaches storing of the data, changes and control values in the memory unit of the actuators.

3. Claim 4 and 9 rejected under 35 U.S.C. 103(a) as being unpatentable over Herrala as applied to claim 1 and 5 above, and further in view of Adams et al (US 6,622,448). The teachings of Herrala have been discussed above.

Herrala fail to teach that the memory unit can be continuously sotred an amount of data, corresponding to a certain time interval, which is obtained in an essentially uninterrupted manner from at least on observing sensor.

Adams teaches measurements of time involved in a papermaking process (col 6, lines 50+).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate the teachings of Adams to the teachings of Herrala in order to make sure that the machine is operating in a functional manner without any errors by checking that the feed flow time of the paper is appropriate to insure that the paper is not jammed.

#### ***Response to Arguments***

4. Applicant's arguments with respect to claims 4 and 9 have been considered but are moot in view of the new ground(s) of rejection.

The examiner has applied newly found art to the rejection that she believes is more relevant to the present invention. See 35 USC 103 rejections above for details.

#### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kumiko C. Koyama whose telephone number is 703-305-5425. The examiner can normally be reached on Monday-Friday 7am-3:30pm.

Art Unit: 2876

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on 703-305-3503. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

*Kumiko C. Koyama*

Kumiko C. Koyama  
November 14, 2003

*Diane I. Lee*

DIANE I. LEE  
PRIMARY EXAMINER